

AMENDED

Serial No. **52898**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

<sup>30</sup>  
~~JAN 03~~ 1989

Date of filing in State Engineer's Office.....

**FEB 16 1989**

Returned to applicant for correction.....

Corrected application filed **APR 14 1989** Map filed **APR 14 1989** under 45903

The applicant Tim E. Bertagnolli

P.O. Box 2577 of Carson City  
Street and No. or P.O. Box No. City or Town

Nevada, 89702 hereby make<sup>s</sup> application for permission to change the  
State and Zip Code No.

Point of Diversion and Place of Use of a portion  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit Number 45903  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is Underground  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.5 c.f.s.  
Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for Industrial and Domestic uses  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Same  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point within the N.E. ¼ of the S.W. ¼ of Section 12,  
Describe as being within a 40-acre subdivision of public survey and by course and  
T. 15 N., R. 20 E., M.D.B. & M., Carson City, Nevada; from which the West ¼  
distance to a section corner. If on unsurveyed land, it should be stated.

Corner of said Section 12 bears N.66° 12' 39" W. a distance of 2803.62 feet.

6. The existing permitted point of diversion is located within the N.W. ¼ of the S.E. ¼ of Section 12,  
If point of diversion is not changed, do not answer  
T.15 N., R.20 E., M.D.B. & M., Carson City, Nevada; from which the Northwest Corner  
of said Section 12 bears N41° 13' 39" W. a distance of 4821 feet.

7. Proposed place of use portions of the S.W. ¼ of the N.W. ¼, the S.E. ¼ of the N.W. ¼, the  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
N.E. ¼ of the S.W. ¼, the S.E. ¼ of the S.W. ¼, the S.W. ¼ of the S.E. ¼, and all of the  
N.W. ¼ of the S.E. ¼ of Section 12, T.15 N., R.20 E., M.D.B. & M., Carson City, Nevada.

8. Existing place of use The N.W. ¼ of the S.W. ¼, the S.E. ¼ of the S.W. ¼, the N.W. ¼ of the  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
S.E. ¼ and the S.W. ¼ of the S.E. ¼, all in Section 12, T.15 N., R.20 E., M.D.B. & M.,  
manner of use of irrigation permit, describe acreage to be removed from irrigation.  
Carson City, Nevada.

9. Use will be from January 1 st. to December 31 st. of each year.  
Month and Day Month and Day

10. Use was permitted from January 1 st. to December 31 st. of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well, submercible pump, storage tanks  
State manner in which water is to be diverted, i.e., diversion structure, ditches,  
and settling ponds.  
pipes and flumes, or drilled well, etc.

12. Estimated cost of works Twenty thousand dollars ( \$20,000.00 )

13. Estimated time required to construct works Work has been completed and Proofs filed for  
this portion of the original Permit (No.45903)

14. Estimated time required to complete the application of water to beneficial use..... One year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This water is being used for the production of rock and sand aggregates at the crushing plant and dust control and other incidental uses at the rock quarry. Approximately fifty percent of the water used will be recycled for use in the plant. The water production of this well is limited to approximately 200 gallons per minute and is insufficient to meet the total requirements of crushing plant and quarry which is estimated at 2000 G.P.M., 8 hrs. per day, 6 days per week.

/s/ Robert L. Fuller Agent for Tim E. Bertagno  
By P.O. Box 517  
Carson City, Nv. 89702

Compared kh/jm bp/se

Protested

### APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 45903 is issued subject to the terms and conditions imposed in said Permit 45903 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 52898 and 52899 shall not exceed 198.6 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This well shall be sealed with neat cement, grout or concrete from ground level to a depth of 100 feet below the surface.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 24.82 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 8, 1990

Proof of completion of work shall be filed before May 8, 1990

Application of water to beneficial use shall be made on or before April 8, 1991

Proof of the application of water to beneficial use shall be filed on or before May 8, 1991

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JUL 5 1990 IN TESTIMONY WHEREOF, I PETER G. MORROS  
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed MAY 08 1996 office, this 2nd day of January

Cultural map filed

Certificate No. 14991 Issued AUG 10 1998 A.D. 1990  
State Engineer